

MONTANA LEGISLATIVE HISTORY

Chapter 266 19 92

Bill H _____ S 225

Original bill & history X c

H. Committee on Business & Labor

Hearing Date(s) Mar 20 ☒ c

Mar 21 ☒ c

_____ ☐ c

_____ ☐ c

Date Out _____ ☐ c

S. Committee on Business & Industry

Hearing Date(s) Feb 12 ☒ c

_____ ☐ c

_____ ☐ c

_____ ☐ c

Did this bill originate in an interim committee? ☐ Yes ☐ No

Committee _____

Report _____

1997 LEGISLATIVE HISTORY

The 1997 Montana Legislature has dramatically changed the nature of the legislative minutes. Specifically, the minutes from House committees are extremely sparse in content, offering no substantive information from which to glean legislative intent. The Senate committees' minutes are somewhat fuller in content. Exhibits available from the State Law Library (which may include written statements, attendant information, roll call votes, roll call attendance, a list of public members present, specific action taken on legislative bills, etc.) are included with this request. For information on other exhibits, contact the Montana Historical Society Archives at 444-4774. Exhibits may also be purchased on a CD-ROM from the Montana Legislative Council (444-3064).

Just as in the 1995 legislative session, the House and Senate hearings were recorded. The Historical Society is the depository for the tapes. For information on accessing the tapes, call the archives at 444-4774.

If you have concerns over the format of the 1997 legislative minutes, it is suggested that you contact your state legislators.

4/21 SIGNED BY GOVERNOR
CHAPTER NUMBER 330
EFFECTIVE DATE: 04/21/97

SB 274 INTRODUCED BY THOMAS, ET AL. LC1262 DRAFTER: CAMPBELL

REQUIRE COUNTIES, MUNICIPALITIES, AND CONSOLIDATED LOCAL GOVERNMENTS TO USE A BID PROCESS FOR THE PURCHASE OF CERTAIN ITEMS IN EXCESS OF \$20,000 OR FOR THE CONSTRUCTION OR MAINTENANCE OF A ROAD, BRIDGE, BUILDING, OR ANY OTHER PUBLIC INFRASTRUCTURE IN EXCESS OF \$25,000

2/03 INTRODUCED
2/03 FIRST READING
2/03 REFERRED TO LOCAL GOVERNMENT
2/03 FISCAL NOTE REQUESTED (EXTENSION GRANTED FOR COMPLETION)
2/11 HEARING
2/12 FISCAL NOTE RECEIVED
2/12 FISCAL NOTE PRINTED
2/13 TABLED IN COMMITTEE
3/03 MISSED DEADLINE FOR 45TH DAY TRANSMITTAL
DIED IN COMMITTEE

SB 275 INTRODUCED BY MILLER, ET AL. LC1009 DRAFTER: MALY

CHANGE THE DELINQUENCY FEE IN THE MONTANA RETAIL INSTALLMENT SALES ACT

2/03 INTRODUCED
2/03 FIRST READING
2/03 REFERRED TO BUSINESS & INDUSTRY
2/12 HEARING
2/13 COMMITTEE REPORT—BILL PASSED AS AMENDED
2/15 2ND READING PASSED 47 3
2/17 3RD READING PASSED 38 12

TRANSMITTED TO HOUSE
2/21 FIRST READING
2/21 REFERRED TO BUSINESS & LABOR
3/20 HEARING
3/22 COMMITTEE REPORT—BILL CONCURRED
4/04 2ND READING CONCURRED 54 44
4/05 3RD READING CONCURRED 59 39

RETURNED TO SENATE
4/10 SIGNED BY PRESIDENT
4/10 SIGNED BY SPEAKER
4/11 TRANSMITTED TO GOVERNOR
4/15 SIGNED BY GOVERNOR
CHAPTER NUMBER 266
EFFECTIVE DATE: 10/01/97

SB 276 INTRODUCED BY MILLER, ET AL. LC1010 DRAFTER: MALY

CHANGE THE COMPUTATION OF FINANCE CHARGES UNDER THE MONTANA RETAIL INSTALLMENT SALES ACT

2/03 INTRODUCED
2/03 FIRST READING
2/03 REFERRED TO BUSINESS & INDUSTRY
2/12 HEARING
2/13 COMMITTEE REPORT—BILL PASSED
2/15 2ND READING PASSED 38 11
2/17 3RD READING PASSED 41 9

Senate Bill No. 275

Introduced By

A Bill for an Act entitled: "An Act changing the delinquency fee in the Montana Retail Installment Sales Act; and amending section

31-1-235, MCA."

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 31-1-235, MCA, is amended to read:

"31-1-235. Delinquency fee. The holder of a retail installment contract or a retail charge account agreement may collect a delinquency charge on each installment in default for a period not less than 10 days in an amount ~~not in excess of 5% of each installment or to exceed \$15, whichever is less,~~ or, in lieu of the charge, interest after maturity on each installment not exceeding the highest lawful contract rate. In addition to a delinquency charge, the contract may provide for the payment of ~~attorneys'~~ attorney fees not exceeding 15% of the amount due and payable under the contract when the contract is referred for collection to an attorney not a salaried employee of the holder of the contract and for court costs and actual and reasonable out-of-pocket expenses incurred in connection with the delinquency."

-END-

RV's manufactured out-of-state are inspected by third party inspectors. We do not travel out of state to inspect these manufacturing companies. We accept approval of plans from a reciprocal state. We do spot checks on dealer lots to see if the units have a Montana RV sticker on it. Over half of our program income has come from these stickers.

Opponents' Testimony: None

Questions From Committee Members and Responses:

SEN. BEA MCCARTHY stated that having read the fiscal note, there is a \$92,000 loss to the state in one year. She asked if that would create an undue fiscal impact on the Department? Mr. Brown replied that it would not. The budget is sufficient. The Department does not do a lot for this money. The employees are overworked on other issues that they attend to. SEN. MCCARTHY asked if there would be any layoff? Mr. Brown replied "no".

SEN. JOHN HERTEL asked about the RV part that had been stricken from the bill on Line 26. Why do we need that particular wording in that part of the bill? Mr. Doggett answered that in Section 3, since we are adding a new subsection 4, it specifies that RV's must be in compliance with the ANSI standards. We are giving a reference that what the standard compliance is so in my opinion it would have to be in the title. Mr. Bart Campbell said that catch lines aren't part of the law, but there is a reference to recreational vehicles and standards so the catch line is not incorrect.

Closing by Sponsor:

SENATOR THOMAS closed. Thank you for a good hearing. I appreciate the association for bringing this bill to light and to the Department as well for being here and openly discussing this with you. It does involve reduction of revenue but it is obvious that we should not collect for something that we are not utilizing.

{Tape:1; Side: A; Approx. Time Count: 9:25 AM; Comments: N/A.}

HEARING ON SB 275

Sponsor: SENATOR KEN MILLER, SD 11, LAUREL

Proponents: Brad Griffin, MT Retail Assoc.
John Cadby, MT Bankers Assoc.

Opponents: None

Opening Statement by Sponsor:

SEN. KEN MILLER, SD 11, LAUREL. I offer SB 275 today. It is short and sweet. There is an amendment (EXHIBIT 2). We are

changing the amount from \$15 to \$10. With that, I'll let the proponents take over.

Proponents' Testimony:

Brad Griffin, MT Retail Assoc. I would like to hand you (EXHIBIT 3) that explains the case for late fees for Montana retail credit grantors. The other handout (EXHIBIT 4) explains which states authorize late payment fees.

John Cadby, MT Bankers Assoc. In effect, I believe by the amendment proposed by the sponsor, he is going to reduce the cap from \$15 to a flat \$10. No matter what your monthly payment is, it is going to cost \$10 to try to collect a delinquent fee or send out notices. You could view this as a bad check. You would probably pay the bank at least \$10 for a bad check. \$10 might be a deterrent to encourage people to pay their bills on time.

Opponents' Testimony: None.

Questions From Committee Members and Responses:

SEN. STEVE BENEDICT asked if my balance was \$50, am I going to pay a 20% penalty for being late? Mr. Griffin stated that it allows the credit grantor up to \$10.

SEN. BEA MCCARTHY asked that if she charges something for \$40, will she be liable for a \$10 late fee. Mr. Griffin said no, once the bill is issued a person would have 10 days (called a grace period) after the due date to make the payment without a \$10 late fee charge.

Mr. Griffin also explained that a person must open an account with a retailer, sign a contract and would know what regulations the merchant would require before a \$10 late fee could be applied.

SEN. DEBBIE SHEA asked if a retailer could charge a \$10 late fee if their billing cycle falls immediately after a charge purchase? Mr. Griffin replied that he felt merchants want to keep your business and are not going to abuse this law by charging this fee frequently or immediately after a charge has been made.

Closing by Sponsor:

SEN. MILLER closed. I would like everyone to keep in mind that we are not talking just about J.C. Penney and Sears but about the little flower store that sets up a credit charge for their people for convenience. Credit costs money and delinquencies add to that cost. Someone pays, whether it is the prudent, careful consumer or someone else. But I feel the ones who are delinquent should pay for their own delinquency. One point that was brought

out was that if you will make even some kind of payment, there won't be a late fee.

{Tape: 1; Side: A; Approx. Time Count: 9:45 AM; Comments: N/A}

HEARING ON SB 276

Sponsor: SENATOR KEN MILLER, SD 11, LAUREL

Proponents: Brad Griffin, MT Retail Assoc.
John Cadby, MT Bankers Assoc.

Opponents: None

Opening Statement by Sponsor:

SENATOR KEN MILLER, SD 11, LAUREL. I bring you SB 276 and would like Brad Griffin explain the bill for you.

Proponents' Testimony:

Brad Griffin, MT Retail Assoc. This bill is how the interest is calculated on the balance. I have a written explanation (EXHIBIT 5) on how this interest is calculated.

{Tape: 1; Side: B; Approx. Time Count: 9:50 AM; Comments: ONE SENTENCE WAS LOST AT THE TURN OF THE TAPE.}

I would like to hand out another paper (EXHIBIT 6) that explains another change SB 276 would make in Montana law.

John Cadby, MT Bankers Assoc. Banks are subject to the laws of the state in which they are domiciled as well as to the federal laws. The point being, that virtually everybody nationwide, VISA, MASTERCARD, etc. uses the average daily balance method of computing interest in current purchases. This discriminates against Montana retailers, putting them at a slight disadvantage. Being out of sync with interstate commerce is not good. All the banks here in Montana are merely distributors of VISA, MASTERCARD, etc. and therefore are not subject to this provision.

Opponents' Testimony: None

Questions From Committee Members and Responses:

SEN. BEA MCCARTHY asked if credit cards and minimum payments are hurting the poorer people and are they being penalized by this bill? Mr. Griffin replied that many people he knows who are well off have managed to get themselves into financial trouble by having all their credit cards maxed out, so I don't think we are singling out that part of the population.

SEN. STEVE BENEDICT asked if a survey had been taken to see if this kind of bill is critical to their survival? Mr. Griffin responded that an organized survey was not taken, but that he had spoken with many retailers who are already figuring their interest on the average daily balance including the current month's purchases. These people are ignorant of the law and are doing what the rest of the nation is doing. It is common practice in the U.S.

SEN. DEBBIE SHEA asked when interest would start if she had an existing balance of \$300 and went in and bought a \$200 suit? Mr. Griffin said that interest would start on the \$200 purchase and continue on the balance of \$300; but if she paid off the \$200 at the end of the month within the grace period, interest only would be accrued on the \$300.

SEN. BENEDICT asked Mr. Griffin to explain a little of the history of SB 275 and SB 276. Mr. Griffin stated that in 1995, both bills were introduced as one bill, possibly SB 335. It cleared the Senate committee, it cleared the Senate by 48 to 2, and failed in the House by 56 to 44. A struggling point was the flat \$15 late fee. This time we have lowered it to \$10 to be in conformity to the states around us.

Closing by Sponsor:

SEN. MILLER closed. Thank you for a good hearing and if you can't pay cash, pay within 30 days and there will be no interest and no late charge. I hope you will give us a favorable nod.

{Tape: 1; Side: B; Approx. Time Count: 10:06 AM; Comments: A 17 MINUTE BREAK WAS TAKEN.}

{Tape: 1; Side: B; Approx. Time Count: 10:23 AM; Comments: N/A.}

EXECUTIVE ACTION ON SB 265

Motion/Vote: SEN. BEA MCCARTHY MOVED DO PASS ON SB 265. The motion CARRIED UNANIMOUSLY.

EXECUTIVE ACTION ON SB 275

Motion: SEN. WILLIAM CRISMORE MOVED DO PASS SB 275.

Amendments: SEN. CRISMORE MOVED to AMEND SB 275 (EXHIBIT 2)

Vote on Amendments: The motion to AMEND CARRIED UNANIMOUSLY.

Motion/Vote: SEN. CRISMORE MOVED DO PASS AS AMENDED SB 275. The motion CARRIED with SENATORS MCCARTHY and SHEA voting NO.

SENATE BUSINESS & INDUSTRY

EXHIBIT NO. 2

Amendments to Senate Bill No. 275
First Reading Copy

DATE 2-12-97

BILL NO. SB 275

Requested by Senator Miller
For the Committee on Business and Industry

Prepared by Bart Campbell
February 12, 1997

1. Page 1, line 12.
Strike: "\$15"
Insert: "\$10"



SENATE BUSINESS & INDUSTRY
EXHIBIT NO. 3
DATE 2-12-97
BILL NO. SB 275

1537 Avenue D, Suite 320
Billings, MT 59102
406-256-1005
1-800-388-0236
FAX 406-256-0785

THE CASE FOR LATE FEES FOR MONTANA RETAIL CREDIT GRANTORS

BACKGROUND FOR SENATE BILL 275

Retail credit customers who fail to remit their monthly minimum payment by the agreed due date cause the retailer to incur additional costs in attempting to collect the past due accounts. These collection costs are in addition to the normal costs incurred in extending credit and servicing the credit customer. These additional costs, if not prevented or recouped by the credit grantor, may show up in higher merchandise prices, meaning that cash customers and those who properly make their payments provide a subsidy to those who don't adhere to agreed payment terms.

The best public policy response to this obvious inequity is for Montana retailers to be able to assess a late payment fee on delinquent credit customers at an amount which encourages the customer to make timely payment and enables the retailer to recover those additional costs. While the Retail Installment Sales Act authorizes late fees, those fees are limited to the less of 5% of the payment due or \$15. Because retail credit card balances are low (generally under \$300.00) the monthly payment is typically \$30.00 or less which means that the maximum late fee a Montana retailer can collect on a typical billing is only \$1.50. Recent studies in several states have shown that the average cost of attempting to collect delinquent payments is several times that amount.

Besides allowing the retailer to offset the additional costs incurred, late fees also provide an incentive for the customer not to miss the payment in the first place. Under federal law, out-of-state credit grantors can and do charge late fees that are higher than Montana retailers can assess. This puts our Montana retailers at a competitive disadvantage because customers will first pay those bills with a significant late fee. As a result, the bills from Montana retailers go to the bottom of the stack and those from out-of-state creditors get paid first.

For most retailers, finance charge revenue is less than the cost of running a credit operation. A finance charge is imposed to try to offset the normal costs of running a credit program and it is based on people complying with the payment terms they agreed to. When they don't comply, added costs are incurred and these costs are what late fees are intended to minimize and to help offset.

Imposing a late payment fee on the customer who fails to keep the payment agreement is common in many consumer transactions. Utilities, doctors, lawyers, and home mortgage lenders all are able to charge late fees. Allowing a fee which lets retail creditors recover more of their costs would equitably put the extra collection cost on those customers who make the added expense necessary.

Most other states have recognized the late fee inequity. In fact 36 other states allow a late fee of at least \$10.

Retail Credit (2 Party)

States That Authorize Late Payment Fee



* Effectife 7/15/96

**Effectife 7/1/96

*** Pending Governor's signature

SENATE BUSINESS & INDUSTRY
EXHIBIT NO. 4
DATE 2-12-97
BILL NO. 58275

RETAIL CREDIT (2 PARTY)

<u>State</u>	<u>Maximum Late Payment Fee Authorized</u>
Alaska	No statutory limit other than amount must be reasonable
Arizona	Not to exceed \$5.00 for installment less than \$25.00, \$10.00 for over \$25.00.
Arkansas	No statutory limit. Must equal that assessed in at least one other state
California	Not to exceed \$10.00
Colorado	Not to exceed \$15.00
Connecticut	Lesser of 5% of monthly payment or \$10.00
District of Columbia	Not to exceed \$15.00
Florida	Not to exceed \$10.00
Georgia	Maximum of \$10.00
Hawaii	Lesser of 5% of monthly payment or \$50.00
**Idaho	Greater of 5% of payment or \$10.00
Illinois	Not to exceed \$10.00 or 5% of monthly installment
Indiana	Not to exceed \$15.00 adjusted yearly
Iowa	Not to exceed \$10.00
Kansas	Not to exceed \$10.00 or 5% of monthly payment with a \$25.00 maximum \$5.00 for installment less than \$25.00, \$10.00 for over \$25.00.
*Kentucky	Greater of 5% of installment or \$10.00
Louisiana	Parity with late fees being exported into state by out of state banks
Maine	Lesser of \$10.00 or 5% of delinquent installment
Maryland	No statutory limit
Massachusetts	Not to exceed the lesser of 10% of balance or \$10.00
Michigan	No statutory limit
Minnesota	Equal to fee permitted by National Banks under MN law (greater of 5% or \$5.00)
Mississippi	Maximum of \$10.00
Missouri	Not to exceed \$5.00 for installments less than \$25.00, \$10.00 for installments over \$25.00
Montana	Lesser of 5% of monthly payment or \$15.00
Nebraska	The greater of 5% of installment or \$5.00
Nevada	Agreed upon amount, no statutory limit
New Hampshire	Agreed upon amount
New Jersey	Not to exceed \$10.00
New York	Agreed upon amount, no statutory limit
North Carolina	\$5.00 on balance of less than \$100.00 and \$10.00 on balance of \$100 or greater
***Ohio	Agreed upon amount
Oklahoma	Greater of 5% of the monthly payment or \$12.50
Oregon	No Statutory limit other than the charge be reasonable
Pennsylvania	Not to exceed \$12.00
Rhode Island	Not to exceed \$12.00
South Carolina	5% of payment not to exceed \$10.00 or 40% of \$10.00
South Dakota	Agreed upon amount
Tennessee	Ceiling unspecified
Texas	Not to exceed \$10.00
Utah	Greater of 5% of monthly payment or \$20.00
Virginia	Agreed upon amount
Washington	No statutory limit other than amount must be reasonable
West Virginia	Lesser of 5% of monthly payment or \$5.00
Wisconsin	Not to exceed of \$10.00
**Wyoming	5% of unpaid installment or \$10.00

* Effective July 15, 1996

** Effective July 1, 1996

*** Pending Governor's signature

Not intended as legal advise, opinion of local counsel should be obtained

6/4/96



SENATE STANDING COMMITTEE REPORT

Page 1 of 1
February 12, 1997

MR. PRESIDENT:

We, your committee on Business and Industry having had under consideration Senate Bill 275 (first reading copy -- white), respectfully report that Senate Bill 275 be amended as follows and as so amended do pass.

Signed: John R. Hertel

Senator John R. Hertel, Chair

That such amendments read:

1. Page 1, line 12.
Strike: "\$15"
Insert: "\$10"

-END-

TS Amd. Coord.
JS Sec. of Senate

331320SC.STS

DATE 2-12-97

SENATE COMMITTEE ON Bus & Ind

BILLS BEING HEARD TODAY: SB 265

SB 275, SB 276

< ■ > PLEASE PRINT < ■ >

Check One

Name	Representing	Bill No.	Support	Oppose
Jacob Hart	Hart's RV Bn	265	x	
BRUCE AAFEST	TRAVEL TIME RV	265	✓	
Stuart Doggett	MT Manufactured Housing & RV Assoc.	265	✓	
Brad Griffin	MT Retail Assoc.	275	✓	
"	"	276	✓	
JOHN CADBY	MT BANKERS	275 276	✓ ✓	
Jim Brown	Bldg Cdr	265	✓	
Shelby Griffin	self	275 276	✓	
CANDACE Torgerson	MT RETAIL ASSN	275 276	✓	
Robert Ferguson	-	-		
Pat Morrison	MSCA			
Maxine Otis	MSCA			
Fay Williams	M.S.C.A.			

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

HEARING ON SB 275

Opening Statement by Sponsor: Sen. Ken Miller, S. D. 11,
introduced SB 275.
{Tape: 1; Side: 1; Approx. Time Count: .01; Comments: None.}

Proponents' Testimony:
Brad Griffin, MT Retail Assn.
{Tape: 1; Side: 1; Approx. Time Count: 2.3; Comments: None.}

John Cadby, MT Bankers Assn. EXHIBITS 1 AND 2
{Tape: 1; Side: 1; Approx. Time Count: 7.8; Comments: None.}

Opponents' Testimony: None

Questions From Committee Members and Responses:
Tape: 1; Side: 1; Approx. Time Count: 8.9; Comments: None.}

Closing by Sponsor: Sen. Miller closed.
{Tape: 1; Side: 1; Approx. Time Count: 16.7; Comments: None.}

HEARING ON SB 276

Opening Statement by Sponsor: Sen. Miller, S D 11, introduced the
bill.
{Tape: 1; Side: 1; Approx. Time Count: 18.1; Comments: None.}

Proponents' Testimony:
Brad Griffin, MT Retail Assn. EXHIBITS 3 AND 4
{Tape: 1; Side: 1; Approx. Time Count: 18.9; Comments: None.}

John Cadby, Mt Bankers Assn.
{Tape: 1; Side: 1; Approx. Time Count: 25.6; Comments: None.}

Opponents' Testimony: None

Questions From Committee Members and Responses:
{Tape: 1; Side: 1; Approx. Time Count: 27.4; Comments: None.}

Closing by Sponsor: Sen Miller closed.
{Tape: 1; Side: 2; Approx. Time Count: 16.4; Comments: None.}

HEARING ON SB 259

Opening Statement by Sponsor: Sen. Shea, S. D. 18, introduced the
bill.
{Tape: 1; Side: 2; Approx. Time Count: 17.9; Comments: None.}

Mike Hamblach, Physical Therapist, Butte, MT

{Tape: 1; Side: 2; Approx. Time Count: 24.4; Comments: None.}

Mike Simons, Optometrist, Missoula, MT

{Tape: 1; Side: 2; Approx. Time Count: 27.0; Comments: None.}

Jim McClann, Physical Therapist, Frenchtown, MT

{Tape: 2; Side: 1; Approx. Time Count: 1.6; Comments: None.}

Gail Wheatley, Physical Therapist, Fort Benton, MT

{Tape: 2; Side: 1; Approx. Time Count: 2.8; Comments: None.}

Gary Lucini: Physical Therapist, Bozeman and Butte

{Tape: 2; Side: 1; Approx. Time Count: 5.5; Comments: None.}

Dr. David Wolfe, Billings Pediatrician

{Tape: 2; Side: 1; Approx. Time Count: 8.4; Comments: None.}

Mona Jamison, Mt. Chapter of Physical Therapist Assn.

{Tape: 2; Side: 1; Approx. Time Count: 14.1; Comments: None.}

Kevin McBride-optometrist, Billings. EXHIBIT 4.

{Tape: 2; Side: 1; Approx. Time Count: 19.4; Comments: None.}

Dr. Kembel, Bozeman and Belgrade

{Tape: 2; Side: 1; Approx. Time Count: 21.0; Comments: None.}

Joe Smith, Pres. MT Physical Therapist Assn.

{Tape: 2; Side: 1; Approx. Time Count: 23.8; Comments: None.}

Barbara Booker, MT Nurses Assn.

{Tape: 2; Side: 1; Approx. Time Count: 24.6; Comments: None.}

Dr. Diane Grey, MT Optometrist Assn., President

{Tape: 2; Side: 1; Approx. Time Count: 27.2; Comments: None.}

Frank Cote, Dept. Dir. Insurance Div. State Auditor

{Tape: 2; Side: 1; Approx. Time Count: 28.0; Comments: None.}

Questions From Committee Members and Responses:

{Tape: 2; Side: 1; Approx. Time Count: 28.0; Comments: None.}

Closing by Sponsor: Sen. Lynch closed.

{Tape: 3; Side: 1; Approx. Time Count: 2.6; Comments: None.}

EXECUTIVE ACTION ON SB 275

Motion: Rep. Sliter moved do concur SB 275.

{Tape: 3; Side: 1; Approx. Time Count: 9.2; Comments: None.}

Discussion:

{Tape: 3; Side: 1; Approx. Time Count: 9.8; Comments: None.}

Vote: Motion passed 18-1. Rep. Krenzler voted no.

{Tape: 3; Side: 1; Approx. Time Count: 23.0; Comments: None.}

EXECUTIVE ACTION ON SB 276

Motion: Rep. Sliter moved do concur SB 276.

{Tape: 3; Side: 1; Approx. Time Count: 23.6; Comments: None.}

Discussion:

{Tape: 3; Side: 1; Approx. Time Count: 24.; Comments: None.}

Vote: Motion carried 18-1. Rep. Tuss voted no.

{Tape: 3; Side: 2; Approx. Time Count: .01; Comments: None.}

EXECUTIVE ACTION ON SB 118

Motion: Rep. Tuss moved do concur SB 118.

{Tape: 3; Side: 2; Approx. Time Count: .06; Comments: None.}

Discussion:

{Tape: 3; Side: 2; Approx. Time Count: 1.0; Comments: None.}

Motion/Vote: Rep. Tropila moved to adopt Tropila amendments.
Motion carried unanimously.

{Tape: 3; Side: 2; Approx. Time Count: 2.7; Comments: None.}

Motion/Vote: Rep. Masolo moved to adopt Masolo amendments.
Motion passed unanimously.

{Tape: 3; Side: 2; Approx. Time Count: 7.0; Comments: None.}

Motion: Rep. Sliter moved to suspend action on SB 118 until later.

{Tape: 3; Side: 2; Approx. Time Count: 10.9; Comments: None.}

HEARING ON SB 246

Opening Statement by Sponsor: Sen. Beck, S. D. 28 introduced SB 246.

{Tape: 3; Side: 2; Approx. Time Count: 11.4; Comments: None.}

Proponents' Testimony:

Dave Brown, MT Independent Auto Dealers Assn.. EXHIBIT 5 AND 6.

{Tape: 3; Side: 2; Approx. Time Count: 13.5; Comments: None.}

HOUSE OF REPRESENTATIVES

BUSINESS AND LABOR COMMITTEE

ROLL CALL

DATE 3/20/97

NAME	PRESENT	ABSENT	EXCUSED
Bruce Simon, Chairman	✓		
Paul Sliter Vice Chairman	✓		
Bob Pavlovich, Vice Chairman	✓		
Joe Barnett	✓		
Rod Bitney	✓		
Sylvia Bookout	✓		
Charles Devaney	✓		
David Ewer	✓		
Kim Gillan	✓		
Billie Krenzler	✓		
Bob Lawson	✓		
Rod Marshall	✓		
Gay Ann Masolo	✓		
Wes Prouse	✓		
Carolyn Squires	✓		
Jay Stovall	✓		
Cliff Trexler	✓		
Joe Tropila	✓		
Carley Tuss	✓		